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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/033,143	10/26/2001	Holger Warth	Mo-6716 LeA 34,676	Mo-6716 LeA 34,676 1812	
34947 75	0 11 20. 2000	EX		AMINER	
LANXESS CORPORATION 111 RIDC PARK WEST DRIVE PITTSBURGH, PA 15275-1112			YOON, TAE H		
			ART UNIT	PAPER NUMBER	
			1714		
			DATE MAILED: 04/26/2006	DATE MAILED: 04/26/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
Office Action Summary		10/033,143	WARTH ET AL.			
		Examiner	Art Unit			
		Tae H. Yoon	1714			
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the c	orrespondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1)⊠	Responsive to communication(s) filed on 24 Fe	shruany 2006				
	<u> </u>	-				
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∪,∪	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
	ciocod in accordance with the practice ander 2	· ·	0.0.210.			
Dispositi	ion of Claims					
4)🖂	Claim(s) 1,2,7 and 10-13 is/are pending in the	application.				
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5)⊠	5)⊠ Claim(s) <u>1,2 and 10-13</u> is/are allowed.					
6)⊠	6)⊠ Claim(s) <u>7</u> is/are rejected.					
7)	Claim(s) is/are objected to.					
8)[8) Claim(s) are subject to restriction and/or election requirement.					
Applicati	ion Papers					
9)	The specification is objected to by the Examine	г.				
10)	The drawing(s) filed on is/are: a) acce	epted or b) objected to by the E	Examiner.			
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority ι	ınder 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ■ All b) ■ Some * c) ■ None of: 1. ■ Certified copies of the priority documents have been received. 2. ■ Certified copies of the priority documents have been received in Application No 3. ■ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
2)	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa	•			

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hThe following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The recited tat least two component would form a copolymer, and thus the recited "(co)polymer" in line 2 is confusing. Cancellation of "()" of "(co)" is needed.

Also, the (co)polymer is not 50 to 99 parts by weight of polymerized vinyl aromatic monomers and 1 to 50 parts by weight of a vinyl cyanide (this part is a monomer, not a polymer), for example. Thus, it is confusing.

Claims 1, 2 and 10-13 are allowed.

Claim 7 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae H. Yoon whose telephone number is (571) 272-1128. The examiner can normally be reached on Mon-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tae H Yoon
Primary Examiner
Art Unit 1714